MAYOR LOW'S MESSAGE.

CONDITION AND AFFAIRS OF BROOKLYN. FINANCES, THE BRIDGE, PAVING, STREET-CLEAN-ING. THE PARK BOARD, AND OTHER TOPICS.

The message of Mayor Low, which was sent to the Brooklyn Common Council yesterday, contains a statement of Brooklyn's finances which shows that the city's net debt is less by nearly \$700,000 than it was one ear ago. The Mayor recommends that the East River bridge be proscuted to the speedlest complet the smallest possible expense, and the city do the least possible in the way of preparing a proper apfrom the Brooklyn side. He thinks that all stuse paving of Brooklyn streets should be done with slocks: that larger sums of money should be exnded in street-cleaning; that the Park Commission should be reorganized with a single head, to be appointby the Mayor and to be paid a salary; that the Swedish system of excise should be adopted; that ferryboats should carry appuratus to extinguish fires; that some system of Civil Service Reform should be adopted to reduce personal patronate to a minimum." ming rapid transit and many other subjects.

The Mayor first states the condition of the finances of The outstanding oblications amount to \$42,165,051 19, as against \$42,197,051 19 at the close of 1881, a decrease of \$32,000. The Sinking Fundamounts to \$4,671,327 79. The net debt of Brooklyn on December 31, 1882, was, therefore, \$37,493,723 40 as against \$38,174,421 47 on December 31, 1881, a decrease during 1882 of \$680,698 of. The Mayor's recapitulation of the financial statement has follows:

	Dec. 31, 1881 Dec. 31, 188:	
Permanent debt, Independent of water loan Water ionu Tem e ary debt, payable from assessment Tar certificates	9,830,500.00	6,919,551 1
	£19.107.051.19	\$42,165,051 1

In commenting upon the figures he gives Mayor Low tays:

It appears that, despite the issue of obligations for new work to the extent of \$916,000, not only has the debt been reduced \$680,000 during 1882, but we have coased to borrow alexa; we have reduced the dutatuating short bonds and tay certificates by \$100,000, and we have raid our way this year as though there had been no deficiency in collecting the tax levy. We owe these results to the large collection of arrears in 1881 and 1882.

The message gives the following table in regard to the

rrears of taxes:

Showing an excess of collections over current arrear ge in 1882 of.

and continues:

In 1881 the total collections were \$2,975,961 93. The excess of collections over arrears incurred in the same period was \$1,285,875 19. No arrearage hone is to make good deficiencies have yet been as donly small deficiencies having been assertanted within the meaning of the law, until recently. It will be the policy of the city from now on to substitute arrearage bonds to the extent of our deficiencies in collection for all temporary debt, as this falls due. No provision of law has hither o existed by which to extinguish the temporary debt of the city, so lar as it represents these accumulated deficiences in collection. The city, in other words, has carried the debt. It has made no attempt to pay it. It has felt up to this time none of the burden of making good these large deficiencies. As arrearage bonds are issued, however, these deficiencies will be funded into permanent form, and interest upon them, toge her with an instalment of the principal, must be raised in each tax levy. Then for the first time the city will understand the practical bearing of ond government expressing itself in premature and extravazant and transitional incoments. The assessments made for benefit have indeed suffleed to place a large area within the city under a cloud, thus cauring incalculable damage. After all, the city will be obliged to pay a large proportion of the bills.

Apart from the interest of the city in dollars and cents, it remains, as it has been, a serious question how to deal with this arrearage problem. It is not tolerable have unded suffleed to place a large area within the city medical proportion of the bills.

Apart from the interest of the city in dollars and cents, it remains, as it has been, a serious question how to deal with the interest of the Legislature this year which, I hope, will deal with the matter thoroughly and finally. Framed as it has been without compileations resulting from past legislation, and undee the advic

must do equity."

THE EAST RIVER BRIDGE. THE EAST RIVER BRIDGE.

It is pleasant to be able to know by the evidence of our eyes that the bridge has made substantial progress during the past twelve months. It is confidently expected that it will be completed and thrown open to travel within the present year. The annual interest charge upon our bridge bonds at this time is \$600,550. Of this sum \$210,000 has been raised annually in the tax levy. The balance of interest has been paid with the proceeds of bonds. Since the beginning of the work bonds have been issued to pay interest to the extent of \$1,809,625. As a means of concealing from the citizens what the bridge would cost to carry, such financiering has much to commend it. As a method of constructing a great public work it cannot be so easily justified. Delays would not have been readily tolerated had the citizens feit at all times the burden of the enterprise. With the completion of the bridge the whole amount of interest must be raised through the tax levy. This will involve an item of \$450,000 and upward which has never appared before. In connection with this I may say that irvolve axation to the extent of \$10,000 more. It is evident, therefore, that only the greatest economy can keep the taxes of our city within a moderate fixate. After this year I have no doubt the bridge will yield some income, but proposity not enough to pay any large proportion of the interest. Being chairman of the committee of bridge trustees having the question of the superior what is a this time upon what seems to me the true pohey of the bridge. Something, no doubt, will have to be done some or inter to prepare a proper approach to the Brockyn sade to this great avenue between the two cities. I believe the wise course for the moment is to do the least that is possible. We need to spend too much in more vital ways to be justified in enlarging materially the bridge debt. sant to be able to know by the evidence of our

THE WATER SUPPLY AND THE STREETS. In regard to the water supply the message calls at-tention to the advantages that are arising from the system of driven wells put down by Chief Engineer Van Buren. After mentioning in detail the work done in re-paving streets, Mayor Low says on this subject and on

the subject of street cleaning:

The policy of Brooklyn has hitherto been to repaye streets by assessment. In my judgment this policy is The policy of Brooklyn has hitherto been to repave streets by assessment. In my indement this policy is stort-sighted as well as unfair. Property that can afford it has good pavements; all other streets, no matter how important as theroughfares, have poor ones. I believe the city should change its policy in this respect; that it should assess property once and once only for paving, and afterward repave as well as repair at the general expense. This is the policy of New-York, and I think of most citics. Brooklyn could make few better investments than to pave its river streets from Red Hook to Newtown Creek and its great arteries of internal trivel with granite blocks. Some of these streets are already so paved, but there are many gaps which will never be filled up, unless the work is done as a city charge. I append a statement of the streets that in my judgment ought to be so paved. An expenditure of \$100,000 a year, with the systematic purpose of carrying out this plan, would, in ten years, make Brooklyn a different city. The city should lay no cooble-stores. They belong to the past, and should be replaced by grante blocks as fast as possible.

The present law in relacion to street cleaning limits the annual expenditure for this purpose to \$70,000. The street cleaning contract also includes the removal of ashes. The city contains 78,000 houses and has 330 miles of paved streets. It is impossible to clean the city autistactorily for so small a sum. The law should be ameteded so as to permit the board of Estimate to raise for the future whatever sum they see fit. I smould not oliget to a proper clause in the law providing for the expenditure this year of a larver sum than the amount raised in the budget, that is, \$70,000.

The Park Department.

The measure that year of a larver sum than the amount raised in the budget, that is, \$70,000.

THE PARK DEPARTMENT.

each of the several city departments and makes the fol-lowing suggestions concerning the Park Department: lowing suggestions concerning the Park Department:
During the past year the Park Department has been reorganized by the appointment of its members by the Mayor of the city. From 1862 to 1882 the Commissioners held their places directly from the Legislature. I regret to say that a preliminary examination, conducted by the Controller, of the books of the department developed a deficiency of something over \$10,000. This sum has been made good by the president of the late Commission, subject to correct...b by the final examination. A thorough investigation should be made by experts of all the accounts of the old Commission. It is much to be regreted that the condition of the books is such as to render experts necessary. I recognite that the Commissioners rendered gratuitous service, but there is no safety for the public if public disapproval does not fail on all careless administration of public trusts. I concur in the recommendation of the present Commissioners that the department be reorganized, with a single nead, to be appointed by the Mayor, and to be paid a salary. In a work of administration, such as the care of our parks, the real work must be done by men under pay. The unpaid Commissioners are responsible, but they have to work through paid subordinates. It is better, I think, to pay the responsible man, and have the responsibility rest in name where it does in fact.

THE EXCISE LAW AND THE BOARD OF EDUCATION. After discussing the difficulties of the questions con-cerning the East Side lands and Bedford-ave., the Mayor

been marked by a desire to do the best thing possible with a subject full enough of difficulty in any view, and made more difficult still by existing laws. For an interesting review of the duties of Excise Commissioners I desire to call the attention of clitzens to the report of Messre, Lauer and Evans. It is a fact that the number of licenses have been increased during the year by forry-two. The greater figures in the report represent apparent, not actual, increase. It is a fact, on the other hand, that a number of houses of notoriously bad character have been steadfastly refused a license for the first time in very many years. The work of the Excise Board has been criticised on the one hand because incenses have increased so little as 2 per cent, while population has increased more than 3 per cent, on the other hand, the Board is blamed because licenses have increased at all. In most cases the courts enforce the laws. In regard to the Excise Hay, as it now stands, juries uniformly but to convict under it. This leaves nothing but the arbitrary power of the Excise Commissioners to revoke licenses wherewith to enforce a statute which the courts co not sustain. This power they have excreised with a good conscience in an earnest desire to do the best they could.

The findamental difficulty with the law, in my judzment, is two old. In the first place, it induces with three Commissioners take, they offend positively some large and influential class of clitzens. In the next place, the interest of the licensee, as a general proposition, is on one side and the law on the other side. The Swedish system of excise seems to me the best yet devised for a large enty. Under this system a city is divided into a certain number of excise district is soid at public anchon to the highest bidder. In this way the interest of the licensee, as a general proposition, is on one side and the law on the other side. The Swedish system of excise seems to me the best yet devised for a large enty. Under this system to be the goal toward which

THE WATER FRONT AND OTEER MATTERS. The subject of our water front has received much study and thought at my hands. It is one of Brooklyn's study and thought at my hands. It is one of Brooklyn's unhappy inheritances from the past that her own water front has been held not to belong to her. I find, as matter of fact, the title to the land under water has been eded by the State to the ovners of the notand on each side of the street, almost without exception, from Red Hook to Newtown Creek. The courts have held, I believe that it can be ceded to no one clase. Notwithstanding this, the city has been allowed by the authorities in the past to spend \$250,000 on plers build upon lamis under water it the foot of streets to which the city held no title. So no of these pers we have lost. We deand what is left by sarel exceptional pleas as we can discover. Except for the legislation which fixes the rates of wharfage below the paying point, private ownership would no doubt lend itself to the public demant. But insumed as wharfage, pure and simple, at legal rates will not pay, private ownership seeks to tillike the plers to the exclusion of the public. It seems to me we ought to have a law coabling the city to build piers thereon and to collect warfage. In case of an unwilliagness to sell on the cart of the owners, the city ongot to be enabled to take the land by eminent domain. The city has never found pier-owning profinable, and yet there is a rossonable unwilliagness on the part of eitzens to be entirely shint off from the river.

It occurs to me to suggest that all our ferryboats carry apparatus for the extinguishmout of ares. In thorough accord with the laws which give New-York City control of the water, these boats are oy law made subject to the call of the New-York Fire Department. It might be of great value to be able to command this add for a free on the Brooklyn about on the gross condition of redemption before maturity, after the manner of Government bonds.

In Brooklyn, and this for the tree for a are now e-Joyed by this New-York department.

It is to be hoped the Legislature will sor day the horders which are of great value. New York and Brooklyn, a front has been held not to belong to her. I find, as mat-

THE QUESTION OF BAPID TRANSIT. Rapid transit remains to-day, as it has been for a nur

ing. As I understand the decision of the Court of Appeals As i understand the decision of the Court of Appeals in the Story case, the court decides practically that damages, when proven, must be paid. No pian has yet been suggested for the assertainment of such damages, except the plan contained in the Compensation act of last spring. I do not understand that the General Term of the Supreme Court passed uniav rably apon this act as such, in denying Mr. Culver's application under it. Upon proper application I am ready to appoint commissioners under the law to bring it to a test. Possibly, seconers under the law to bring it to a test. Possibly, der the General Railroad law damages could be ascerbed and a road built. But certainly the community is bry under the necessity of indicating some way in hich damage shall be ascertained and paid. To the intion of this point I shall continue to lend my efforts, eleoming every surgestion that gives promise of helpere is no doubt that a road honestly built can afford to be fair damages. What remains to be reached is the chol of procedure.

Bro kivn, if she be true to herself, has a great future a stands founds, that a colonial state of colony preceding the colony of the colony preceding the colony p

method of procedure.

Brockiva, if she be true to berself, has a great future.

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She stands to-day preeminently acity of homes; she has a touch upon the navigable waters of the Metropolis extending along river and bay for eight miles; she is third in the sisterhood of American eities in her manufactures. Located near New York, with a bridge like a great Broadway connecting the two cities, Brooklyn has much to offer to the populations ever gathering about the commercial centre. A city whose population is made up largely of the well-to-do rather than of the very westiny, the social atmosphere is free from many evis when attach to great laxiny in living. Family life is less broken by sock I demands, and the training of chidden is a derind safer than in a larger sad westing to fready drainage; side has the bost of water for grinking purposes and for manufactures; she has close at mad for the 'anuscament and pleasure of her people, Coney Island. Her pask and her sensools compare not unfavorably with those of the great Metropolis itself.

These things she must chesh her streets well and make her school accommodations ample, and her school feeding must be equal to the best. She must clesh her streets well and make her school accommodations ample, and her school feeding must be equal to the best. She must clesh her streets well and make her school accommodations ample, and her school feeding must be equal to the best. She must clesh her streets well and make her serveringe and maintain the efficiency of her Poince and Fire Departments and keep them equal to her growing wasts. All those things require money, some of them have been so far neglected that they require a great deal of money. Let us have no more great public works for a decade, like bridge or park. But let us devote ourselves to our current needs and build up the city to greater efficiency and perfection in these homesy ways, and we shall see Br

THE NEWSPAPER WORLD.

The Hour, the bright social weekly journal of The Hour, the bright social weekly journal of this city, begins its tenta volume is a new dress and new cover, the latter showing the figure of a woman holding an hour-glass above her head. After three years' experience the publishers have decided to issue pictorial supplements only when they can be made artistically satisfactory. The sketcaes of prominent mea, nowever, will be continued, and the other departments will contain an increased amount of interesting reading matter.

The publishers of The Morning Journal of Cincinnatt, the one-cent successor to the "dime edition" of The Ga-

The publishers of The Morning Journal of Cincinnat, the one-cent successor to the "dime edition" to The Gazette, announce that they "expect soon to reach a circulation hitherto unknown ontside the four cities of Publishelms, New York, London and Paris." The Journal is filled with news, and is well printed on good paper. The Transcript, of North Adams, Mass., began its forty-third volume in a new dress and with the addition of one column to each page.

third volume in a new dress and was a state of the column to each page.

The National Standard, of Salem, N. J., which was established in 1819, has just put on a new dress.

The price of The Union and Advertiser, the Democratic evening newspaper of Rochester, has been reduced to 2 cents.

to 2 cents.

Two of the newspapers of Louisville, The Courier Journal and The Ecening Post, have advanced their advertising rates. This is done because of increased circulations, and The Post announces that it will make a further advance in the spring.

One of the largest dealers in newspapers in New-England reports that his sales of The Boston Journal have been more than doubled since the price of that paper was reduced to 2 cents.

The Heraid, of Carlisic, Penn., has just entered upon its eighty-third volume with a largely increased circulation.

Times makes a handsome appearance. One of the prominent features of this journal will be sketches of nearly all the officers New Jersey gave to the Union Army dur

LEGISLATIVE INVESTIGATIONS. AN ALLEGED ATTEMPT AT BRIBERY. OFFERING A CANVASS R \$25 TO SIGN ELECTION

RETURNS. After a tedious session of several hours yes terday the Assembly Committee on Privileges and Elec tions developed a sensation in a charactempted bribery by an Assemblyman who is in contest. The case was that of Michael J. Coffey against Thomas J. Sheridan, of the Vth Assembly District of Kings County, which consists of the Twelith Ward of Brooklyn. All the forenoon session was consumed in a controversy over a bill of particulars, the outcome of which was a narrowing down of the contestant's case to a charge that there had been an the contestant's case to a charge that there had been an error in the count of the voce in the Third Election District of the ward. Both men are Democrats, and Sheridan's majority on the returns was 78. In the third district Sheridan received 216 and Coffey 254. Edward Canill, a policeman, testified that on the night of the election he carried the ballot-box to the police station, having first scaled it, and delivered it to the sergeant. The scaling was done with a label furnished for the purpose. On cross-examination he admitted that would carry the Third District. He was questioned at some length as to the help given him by his companion officer who, he said, had helped him to seal the box by handing him the sponge with which he wer the The sponge, he said, was wet enough to wet the lacel, but he had not sees the other policeman wet it. He had written down in ink the time when he received the box, and it had not been changed up to the time that he delivered it. He had not heard the canvassers announce the result of the ballot or the number of vote-cast, but he had heard Alderman Donovan announce witness explained, was done before the count of the

Edward Reilly, captain of the police of the Elevent

witness explained, was done below the cleavest between the yest per trestified that the Assembly ballot-bex from the precinct in question had been delivered at his station and that when it came it was properly sealed with the labor was received at the station at 2.44 a.m. An application was made the same night by the Board of Cauvassers for a recurr of the box. The application was made the same night by the Board of Cauvassers for a recurr of the box. The application was in writing and signed by Thomas J. Connell, chairman of the Board, and was not compiled with.

Murdy Scalesinger, one of the canvassers, after he had established the fact, for which he had been called by the contestant, that the ballots after the canvass had been returned to the box, was questioned by several members of the committee. He said to them that once during the canvass Alderman Donovan placed his hand on the table and was warned off by Policeman Oakes. After the box was gone Coffoy came in and said to engit to have more votes. The witness thought so, loc; because when the tickets were separated into heaps, before the counting, the Coffey pile was the largest. He said it was lete and he did not know while he was counting wacher the ballots given him were Coffey of Sheridan tickets. Alderman Donovan sat between aim and the chairman of the Board at the table. To Mr. Ecclesive, on redirect examination, Mc. Schlesing retestified teals he and the other members of the Board of Canvassers and refined to say of the returns to the Board of Canvassers and refined to say of the returns to the Board of Canvassers and refined to say of the returns to the Board of Canvassers and refined to say of the return to the stand and had effered to pay him \$25 if he would do so. The testimony seemed to take both sides by surprise, the winess saying been called only to satisfy a doubt in the mind of Charrana Rice that the canvass of votes had been properly mode. Mr. Ecclesine brought out to the wines section in the stand and canled the story of attempted fathe

BUYING CONEY ISLAND DEEDS CHEAP.

The Senate Committee on Villages, consisting of Senator Browning, and A. D. Williams, counsel for the committee, had before it yesterday James K. O. Sherwood, a dealer in western le ds and securities. Apparently the committe-looked f valuable information from him regarding the methods of the Manhatran Beach Railway Company in acquiring lands belonging to ber of years, the greatest material need of our city. Brooklyn has made a galiant fight for the right of the individunit to be secure from damage it. the interest of the
many, without compensation for his loss. This light she
has won. Like all great victories of right, if has not been
won without cost. To syoid injuring the few in Brookiyn the many heretofore have suff red the incooventie that Brooklyn has grown during 1882 as it has
never growt. before. From January to December 1,
1882, the new buildings numbered 2,375; from January
1892, the new buildings numbered 1,939;
Increase, 437. The estimated cost of new buildings in 1881 was 80,493,347; excess of value in 1892,
8887,916. Part of this result is due, I have no doubt, to
the fact that Brooklyn has shown herself a city where
the individual has some rights, but it remains for us all
know that the suit and been dismissed in the courts on

DANGERS OF OCEAN TRAVEL.

FIGHTING FIRE ON THE STEAMSHIP DONAU-ACCI-DENTS TO SAILING VESSELS,

The steamship Denau, of the North German Lloyd, arrived from Blemen yesterday. She had on board 356 passingers. On the night of January 3, smoke was discovered issuing from the main-hold about midships. The alarm was at once given and while efforts were being made to extinguish the fire, the boats were made ready with provisions, on board 356 passengers. On the might of January 3, smoke was discovered assung from the main-hold about midships. The alarm was at once given and while efforts were being made to extriguish the fire, the beats were made ready with provisions, etc., so that the vessel could be abandoned in case of necessity. To add to the dauger, the wenther was stormy and high seas were running. Captain kingk look general charge, and the officers and crew were assisted by the maie passengers in subduing the fire. After working with all of the steam pumps for four hours, the flames were extinguished. Cheers were then given for the brave officers and crew. The compliment was returned to the passengers who assisted in fighting the fire. Upon the vessel's arrival at her pier in Hooken, it was found that the fire originated from spontaneous combination among some cases of merchanduse in the middle eargocompartment. The flames did not communicate with any other part of the vessel. The damage of the cargo was several thousand dollars. With the exception of the wooden decks being chozed and the iron deck being sprung by the heat, the vessel was not damaged.

The hurricane which occurred on the Atlantic coast on December 30 was one of unusual severity, and daily arrivals of coastwise vesses add considerably to the records of disaster. The schooner Anna R. Bishop was three days off the Capes of Delaware, with terrific gaies and high seas. She brought into port yesterday Captain Smith and six others of the crew of the schooner Milhiam A. Levering, which sailed from this port for Fernandina, Fla., with a cargo of stone, on December 26. The Levering encountered the hurricane of Cape liatteras on Pecember 30 and sprung aleak. The crew worked incessantly at the pumps. The vessel continued to fill with water, however, and when sighted by the Bishop on January 1 the crew were exhausted and the vessel had sunk until her decks were on a level with the sea. With great difficulty the wrecked crew were taken off.

The bark Vanguard also encountered

BUILDINGS PLANNED BY THE ASTORS.

The Medical Record of this city enters upon its twenty-taird volume considerably improved in appearance. Its pages have been enlarged nearly 50 per cent, thus ensoling the publishers to use a larger type and to add one-seventhmore reading matter each week. In speaking of these and other improvements Dr. George F. Shrady, the editor, says: "Our corps of special correspondents, both at home and abroad, has received such additions as will guarantee us, by letter and telegraph, the latest information concerning matters of medical interest in the different medical centres of the world."

The first number of the weekly edition of The Trenton Plans were filed at the Bureau of Buildings yes-

THE COURTS.

IS THE MERGER AGREEMENT VOID !

The argument on the motion to continue the temporary injunction granted a few days ago by Justice Noah Davis in the suit brought by the Metropolitan Elevated Railway Company against the Manhattan Company and the New-Y rk Elevated Railway Com pany to have the merger agreement declared null and void, and to restrain the defendants from doing any act under the agreement, was had yesterday before Justice Barrett in the Supreme Court, Chambers. David Dudley Field appeared as counsel for the defendants. He said the merger agreement was entered into under the stat-ute which provided that any raliway corporation, being the lessee of the road of any other corporation, might take a transfer of the capital stock of that corporation and issue its own stock in exchange for it. Previously to the merger agreement there had been five agreements between the companies, the last of which was exactly like that which is now sought to be set aside. The merger There were really only two questions in the present case Boards of Directors of the companies the power to make the agreement second, Was there anything in the terms and conditions which rendered the whole agreement void or voltable ! The Supreme Court had already de cided that the five agreements previous to the merger agreement were valid notwithstanding they had been made by the directors of the companies and had not been ratified by the shareholders. There was nothing to distinguish the merger agreement from the others hence that agreement was made by persons having full power to make it. Was the agreement then void or voidable on account of its terms 1 A voidable agreement must be so by a distinct act of disaffirmance. The right to resolnd a contract must be reselsion must use due diligence : he must have been the victim of a fraud, and ne must be able to restore the other party to the condition in which he was before the agreement. In the present case every one of these conditions was wanting. The plaintiff had not used due diligence; if had not been the victim of any fraud, and it could not restore the defendants to toe condition in which they were before the agreement. The present suit was not a proper action for the rescision of the agreement even if no other parties than the defendants were concerned in its result. But the shardholders of the Metropolitan Company were increased in the result of the suit and were necessary parties to it. The objection to the merg r agreement that the statute did not allow the consolidation of competing roads. Two roads could not be competing roads unless both of them could be operated at the same time. The objection that the terms of the agreement are unequal was answered by saying that, if valid, it could not be made in the present suit, The objection that the same persons were directors in both companies, if sound, would invalidate the terms. agreement. In the present case every one of these con cis C. Barlow, for the Metropollian C mpany, con

Europe.

Fracels C. Barlow, for the Metropolitan C. mpany, contended that the merger agreement was void because it had not been made with the consent of the shareholders. The directors of a company were authorized to transact its ordinary business, but not to vote it out of existence. Mr. Barlow reviewed the cases bearing on this point at length. The decisions of the Supreme Court and of Judge Blatchford in regard to the modified lease, he said, were founded upon misapprehension of the law. The cases all showed that the directors of a company have power to manage only its ordinary business. In extraordinary matters the assent of the shareholders is essential to any valid corporate action. But even if the directors had the power to make the merger agreement, it was void, because a majority of the Metropolitan Company's directors also constituted a unajority of the Authoritan Company. Mr. Barlow considered at great length the authorities on this point. The actual interest of many of the directors of the Metropolitan Company in the other company, he continued, was of itself smillerent to invalidate the agreement. The agreement was also void because the law contemplated only the interest of two and not of three company. It finis in Janc you had not been granted the Managtan Company would have paid dividends on the first and second preferred stock under the agreement, and nothing to the dissenting stockholders of the Mathopolitan Company. It thus appeared that the Manhattan Company proposed to make a discrimination against non-assenting stock. John R. Duff, of Boston, has brought a suit

brokerage firm of Kennedy, Huteninson & Co., to re-cover a large sum of money of which he alleges that he was defrauded in certain stock transactions. The summons in the suit was served some time ago, but the com-plaint was not filed until yesterday. In this complaint Mr. Duff avers that the defendants had acted as his brokers for more than five years, and that in that period they had bought and sold for him stocks amounting in the aggregate to several hundred millions of dollars; that they have never rendered him an secount of the transactions, although he has often asked them to do so; suctions was to make him indebted to the firm in the sum of \$1,064,716, secured by the piedge of certain Hamibal and St. Joseph common stock. The plaintiff further states tout, having confidence in the trutufulness of his brokers, he supposed that he was indebted to them in the sum named, except certain transactions which he claimed were unanthorlized, but that on Marca 3, 1882, when only these matters were in dispute, the detendant Hutchinson offered and paid him 5-00,000 and the derendant Kennedy \$250,000 in settlement of them as he believed; that the settlement was a just and reasonable one so far as the matters in dispute were concerned, and that he had given the firm a general release, supposing that it applied only to these matters. The plaintif now avers that the representations made to him by the defendants were false and toat the accounts the results of which were stated to him were not just and accurate; that he was not indicated to the defendants in the sam named, but that independently of the settlement tack were farsely indebted to him. The plaintiff therefore demands pulgment that an accounting be had of all the acts of the defendants as in brokers; that he release given by him on March 3, 1882, be adjudged limited to the specific matters then known to him, and subject to controvercy and that he recover from the defendants the sum that shall be found due him after an accounting, and the costs of the present action. ness of his brokers, he supposed that he was

MR. FISHER'S RIDE ON A PLATFORM. The trial of the suit brought by George T. Fisher against the Manhattan and Metropollian Railalleged false impresonment was begun yesterday in the Supreme Court, before Justice Lawrence. Mr. Fisher alleges in his complaint that in De-cember, 1879, he, in company with a lady, got cember, 1879, he, in company with a lady, got upon the rear platform of the last car of a train on the Sixth Avenue road at Franklinest. The train started, and, not withstanding the bliter winter's coli, the door of the car was looked so that he and his companion had to stand outside. When the train reached the next station his platform on which they were standing was some denance back or the station platform. They could not get off the car not into it, and so they rode to the next station, where the experience at the last station was repeated. At Forty-secundst, Mr. Fisher, becoming desporate with cold and race, broke in the door of the car and proceeded afrecity to give the conductor, who, as he declares, had known all the time of his situation, a piece of his mind in plain and emphatic terms. The conductor, adding insult to miny, and him arrested and dragged to a police station. The sergeant in charge of the station discharged him. The defence of the company is that Mr. Fisher was behaving in a disorderly way when he was arrested. The trial will be continued to day.

CLAIMING TO HAVE BEEN BETRAYED. The suit of Miss Mary Alice Almont Livingston to recover \$75,000 as damages for breach of promise of marriage and seduction, brought against Henry ise of marriage and seduction, brought against Henry Fleming, came to trial yesterday in the Circuit Court in Brooklyn, before Judge Pratt. Miss Livingston, who is said to be related to Chancellor Livingston, had her baby in court with her. She was fandonably dressed. The first witness in the case was the plaintiff, and her testimony was to the effect that she met the defendant at Tom's River, N. J., in 1879, while she was a pupil in Mount St. Vincent Sendinary. Her mother introduced them. Mr. Fleming visited her several times there and in this city, and in June, 1881, when her mother was out of town, she passed a night with the defendant, who promised to marry her. Several letters written to the defendant by the plaintiff were read in evidence.

COURT CALENDARS-JANUARY 9.

that the act of the Legislature of West Virginia, passed December 15, 1868, authorizing the City of Parkersburg to issue its bonds for the purpose of lending the same to

December 15, 1868, authorizing the City of Parkersburg to issue its bonds for the purpose of lending the same to persons engaged in manufacturing, was invalid, and the bonds issued under it are void as against the city. It is therefore ordered that the decree of the Circuit Court be reversed with costs.

A decision was also rendered in the case of the Michigan Central Railroad Company, against Parls Myrick for the use of the Commercial National Bank of Chicago. The question raised by this case is whether a railroad company in the absence of a special contract is responsible to a shipper for the safety of freight, after such freight has been transferred by it to another railroad company for transportation to its place of destination. The Court holds, first, that in accordance with the common-law rule the corrier is liable only to the extent of his own route, and for safe storage and delivery to the next currer; second, that the ticket or bill of lading given to the shipper by the railroad company is this instance was not a through contract, whereby the Michigan Central Company agreed to transport the freight in courtoversy to Philadelphia. The jungment of the Court below that the receipt did constitute such a through contract, is reversed, and the case is remanded for a new trial.

The Court also rendered a decision in the municipal bond case of the town of Red Rock, Minn. Judgment of the Court below is affirmed.

In the case of Lot M. Morrill, Collector, agt. John W. Jones, the jungment of the Court below is affirmed.

The coase of the Cook County National Bank of Chicago agt, the United States, which has already been once argued before this court, was to-day assigned for reargument on the first Monday in March.

In the case of Augustus D. Juillard agt. Thomas S. Grennan, better known as the "legal-tender cuse," the C urt to-lay denied the motion of senator Edmunds that a day be set for the argument.

The other decisions reg lered to-day are as follows:

No. 298-William L. Hemingway, treasurer, and others art. J. H. W. Stausell, surviving partner, etc.—Decree re-versed with costs, and cause remanded with directions to disremains the bill.

No. 803—The Town of Elgin agt. Samnel Marshall and C.F.
Isley; and No. 804—The Town of Plainview agt. the same—
Dismissed.

Heley, and No. 804—The Yown of Plainview agt, the same— Dismlased.

No. 106—Joshua C. Pierce and others agt. Cle A. Indseth— Judgment affirmed with costs and interest.

No. 99—Lucy C. Flagler Guy and others agt. Catharine Parpart—Affirmed with costs.

No. 104—The United States agt. David F. Powers and others
—Judgment affirmed.

No. 103—The United States agt. J. A. Knowles and others
—Judgment affirmed.

No. 132—Francis E. Proy agt. the United States—Judgment affirmed.

O. 151—F. W. Hindekoper and others agt. Joseph T. Sanger—Decree affirmed with costs.

No. 138—The Grand Trunk (tallway Company, of Canada, agt. Oliver P. Cumulags—Judgment affirmed with costs and interest.

nterest,
...o. 88—Charles E. Sheiton and others agt, E. M. Van
Kleeck and others—Decree affirmed with costs. No. 674—The First vational Bank, of Youngstown, Ohio, agt. James B. Hughes, late auditor, etc., and others—Dis-

MRS. RICH'S CORRESPONDENT IN COURT.

The man calling himself William Harrison, who was arrested on Sunday night by Detective-Ser-geants Ruland and Haley, of Inspector Byrne's stuff, for attempting to obtain money from Mrs. Margaret Rich, in return for which it was promised Margaret Rich, in return for which it was promised that her husband, who has been missing, as to be released from a luvatic asylum where, it was aliezed, he was confined, was taken to the Jeiferson Market Potice Court yesterday. Mrs. Rich, the detectives and three messenger boys sated the facts already published. Harrison was then arraigned and remanded by Justice Bixby for examination to-day. The following dispatch was received by Mrs. Rich at her home vesterday morning: home yesterday morning :

Your man is all right, Send me at Canden, N. J. Bring a man for help.

Buena Vista, N. J. P. C. Matheson, Landersville, N. J.

The diseatch was not understood by any one, and little significance is attached to it. It will be investigated by the detectives, who also intend making a thor by the detectives, who also intend making a thorough search among the lunatic asylums in this city and its vicinity, in the hope of inding Mr. Rich. To a reporter Hanison said that a Broadway lawyer, named Burroughs, with whom he became acquainted in a liquor store several months ago, had given him a message to a Mrs. Huntington, who lives in Ranenswood, L. I., but who would mee him on Sunday at the Long Island Railroad depot in Hunter's Point. She would give him a letter, he was took, which he was to inclose in an envelope of a district telegraph company and send to Mrs. Rich, who would receive it in the name of Ward. For this service the lawyer was to pay him \$25. Mr. Harrison seemed greatly troubled because he was arrested before he had received the money. He was dressed in a dark trad received the money. He was arrested before he brown tweed suit and had a long light ulster. He is about five feet ten inches in batch. brown tweed suit and had a long, light uister. He is about five feet ten inches in height and is of spare build. His complexion is sailow; dark circles surround his eyes, which are of a dull, light gray. He has a light moustache, fiercely curied at the ends, and scanty side whiskers. He gave his age as thirty-four and his residence as Bradford, Penn.

MISS. PARLOA'S DEMONSTRATION LESSON Work was resumed at Miss Parloa's Cooking School, No. 222 East Seventeenth-st., yesterday morning after the h-liday recess, with a "demonstrution lesson" by Miss Parloa. The attendance was large considering that it was the "first day after vacation," and the utmost interest in every process which Miss Parloa performed and in her explanations was manifested by her hearers. The demonstration lessons in which Miss Parloa makes the different dishes under consideration, and explains in a clear and interesting manner cach step in their preparation, are given on Monday mornings between 10 and 10 clock, and on Tuesday afternoons between 2 and 5 o'clock. On other mornings in the week the different private practice classes are instructed by Miss Parloa and Mrs. A. M. Webb, her a sponing in the week of the SECOND of his TUES-DAY EVENING, JAN. 9, AT 8 O'CLOCK. NEW ROYSERVATORY OF MISS RATTURES, NEW CHAIRST, 3d door East of STHAVE.

MORNINGS WITH LONGFELLOW. 11:30, MR SIDNEY WOOLLETT.—First recital this morning at the Turf Club Theatre, 25th st. and Madinon are "Courtship of Miles Standish." Admission 75 cents.

NEW GRANDEN. Reserved seats 50 cents, Mathree Wednesday and Saturday at 2.

NEXT WEEK, the Union Square BLACK FLAG.

PROF. C. A. YOUNG,

of Princeton College, will delive the SECOND of his TUES-DAY evening course of str. popular lectures on MODERN as The Church of the Miss Parloa.

the school. The practice classes are limited to six members, who do the cooking themselves, under the immediate direction of the instructor. Among the ladies who are at present in the several private classes at the sensol are Miss Mary Evarts, Mrs. Samuel Colgate, Miss Jessie Vanauken, Miss Fabbri, Mrs. F. F. Gunschool are Miss Mary Evarts, Mrs. Samuel Colgate, Miss Jessie Vanauker, Miss Fabbri, Mrs. F. F. Gunther, Miss Maggie Sloane, Mrs. Sturgis and Miss sturgis, Miss Miner. Miss Baker, Mis Washburne, Miss Chauncey, Mrs. Edwards, Mrs. Taylor and Miss Morse. The managers of the New-York Hospital have made arrangements with Miss Parloa to give a course of practice lessons to the nurses in the Training School for Nurses, beginning on Friday of this week. In a few weeks Miss Parloa will give a public lecture upon "Marketing" similar to the one she delivered last spring, provided she can dispose of 150 tickets beforehand.

PIGEONS OF HIGH DEGREE.

The National Columbarian Society began its seventh annual exhibition yees-erday at funmell's Museum. Many of the currosities of the place had been removed to make room for the pigeons, of which there were several hundred entered for competition. In the long cases, pigeons of every variety, chape and size strutted about, to the admiration of the bird fanciers that surrounded them. Pouters, carriers, jacobns, fantalis, barbs and all kinds of pigeons were represented. One of the best of the pouters was Surprise, six months old and twenty mehes long, with legs eight inches in length, that won the first prize at the show in Haltimore two weeks ago. The largest exhibitor of pouters is H. C. Cook, the secretary of the society; while of earters John Parr, of New-York, and Herman Rankin, of Brooklyn, have good displays. The julges for this exhibition are J. C. Long, ir, and William Stanton, who will begin making awards to-day. Some of the birds are worth from \$75 to \$100 apiece; and their points are dilated upon largely by their admirers.

A large crowd gathered in the street in the afternoon to see a flight of homing pigeons. At eight minutes past 3, about twenty birds were sent off to Bridgeport, Conn., and after circling in the air for a few moments, they disappeared. The arrival of the first bird was announced at thirteen minutes past 4. Later another flock was sent off to Somerville, N. J.

REVENUE OFFICERS EXCITED.

REVENUE OFFICERS EXCITED.

There seems to have been a spontaneous awakening of the officers of the Revenue Marine Service to the behef that their personal interests were imperied by the suggestion of the Secretary of the Navy, Mr. Chandler, that the interests of the Government would be fostered by transferring that service, together with the Life-Saving Service, the Light-House Board, the Coast Survey, and the Marine Hospital Service, to the Navy Department. A bill is now pending in Congress with that object in view. Two captains of the Revenue Marine Service were employed yesterday in circulating petitions for signatures, protesting against the proposed change. Captain Phillips, of the cutter Washington, made a request of George Wilson, secretary of the Chamber of Commerce, to call a meeting of that body, for the purpose of taking action in opposition to the transfer. Mr. Wilson informed the captain that a meeting could only be called upon the written request of ten members of the Chamber, who would hold themselves responsible for such a meeting. Mr. Wilson also assured Captain Phillips that the Chamber took cognizance of the mercantile community, rather than those which affected individuals. An effort is being made to induce ten members of the Chamber to call a meeting for the purpose mentioned.

WILLIAM MCGLORY TO BE PROSECUTED

PART III—Held by Donohue, J.—Nos. 1714, 1453, 424, 16084, 2858, 3002, 1643, 1906, 1624, 3513, 1625, 2912, 1919, 5009, 3613, 340, 292, 1306, 16745, 4129, 3810, 082, 16025,

also on file in the District-Attorney's office in which Eva Weston charges McGlory with assault and battery. The wounds that she received were so severe that she was compelled to go to the hospital. McGlory was bailed and the case appears never to have been tried before a police marrisrate, nor was an indictment found. It is said at the District-Attorney's offices that the witnesses in these cases have disappeared.

Mr. McKoon had McGlory at his office at one time last year in relation to these complaints, but the latter protested that he had given up the business of keeping liquor stores, the District-Attorney finally decided to hold the complaints over him to keep him on his good behavior. Deputy Assistant Allen received a letter from Mr. McKeon yesterday, in which he was directed to see that McGlory's places and certain others of the same character were proceeded against at once. The police will be requested to see that the evidence is obtained against these places. If no evidence can be obtained against these places. If no evidence can be obtained against these places.

Amusements.

A MERICAN GEOGRAPHICAL SOCIETY. Annual Moeting
TUESDAY EVENING, JAN. 9, 1883, AT 8 O'CLOCK.,
Chickering Hall, corner 18th st. and 5th ave.
DANIEL C. GILMAN, 1.1. D.
President of Johns Hopkins University,
Will deliver the annual address, settled,
THE NORTH AMERICAN CONTINENT;
FOUR CENTURIES OF DISCOVERY.

BOOTH'S THEATRE. OTHE ATRE,

M. CHAS, R. THORNE, JR.,

as Fablen and Louis del Franchi,
in the spectacoust Production,
The CORSICIAN B.O HERS,
THE CORSICIAN B.O HERS,
The Greatest Production of the Age,
Grand liablet Fastistique and Specialty Cor,
The Greatest Production of the Age,
Bosultiul scenery and Manuson blast-

BIJOU OPERA HOUSE. B'way near 30th-st.
JNO. A. MCCAULL. Proprietor and Munager.
This TUESDAY Evening, January 9, first performance of the new Comic Opera, VIRGINIA.

by Messra, Stephens and Solomon, Characters by Messra
John Howson, Digny Bell, George Olmi, Chas, J. Campbell,
A. W. Maffin, Misses Liney Couch ther first appearance),
Laura Joyce, Emile Metatorsby, Emma Guthrie, Victors
Reynolds, Nellie Howard.

BUNNELL'S BROADWAY MUSEUM,
7th Abnual Exhibition National Columbarian Society PIGEON SHOW.
PIGEON SHOW.
One Week Only.
PIGEON SHOW.
PIGEON SHOW.
PIGEON SHOW. Trained Blues. Man Bird. Stage Entertainment.
Daily flights of Carrier Pigeons.
On January 22, FAT MEN'S SHOW.

Birch, Hamilton and Backus, Opera House, SAN FRANCISCO MINSTREIS, Braway & 29th-st. Our New Burlesque on Floather HIGH AND LENGTHY! All the come tame in the cast. Matines Saturday at 2. Seats secured.

CASINO. Broadway and 39th-st.

Every Evening at 8. Saturday Matinee at 2.

Johann strans's new Spectacular Opera Comique,

THE QUEEN'S LACE HAS DEER, HIEF, by the
McCAULL OPERA COMPANY,
Box office at Casino.
Branch office at Bentano's. No. - Union Square, where
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In STECK'S HALL, II hast 14th at.
STANDARD QUARTETTE CLUB.
Mossra, Brandt, Schwarz, Matska and Bergner,
kin ily assisted by
Mr. Ferd, von 'nien, Pionist,
Second Concert Tuesday, January 9, 8:30 p. m.
Admission, \$1.

DALY'S THEATRE, Broadway and 30th-st. OUR SATURDAY EVENING, Jan. 12, for the first time. Colly Cibber's amous and brilliant comody, entitled.

SER to 60th time.

PINAL MATINEES Wednesday & Saturday and the whole company appear.

GRAND OPERA HOUSE,

Beserved seats (Orchestra Circle and Batcony), 50c,

Six nights an, Saturday maximes.

CLARA MORAIS-THE NEW MAGDALEN.

Wednesday afteroom, Jan. 10-Last Sorecer Mailnes,
Monday, Jan. 15.—John T. Raymondin PASADISE.

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WILLIAM HENDERSON ... Proprietor and Managar
R. P'OYLY CARTES OPERA COMPANY.
Every Evening at \$15, Sacuritay Matthee at \$13,
GILBERT AND SULLIVAN'S
NEW FAIRY OPERA.
IOLANTRE,

THE PEER AND THE PERI.

Orchestra, \$2; baicony chairs, \$1 50; admission, \$1. HAVERLY'S THEATRE, 14th-st. & 6th-ave.

This enthusnam continues unabated.
This Tuesday night in ail his glory.
The great popular star. The original
J. K. EMMET, as FRITZ AMONG THE GYPSIES
Matinee Saturiay. No Matinee Wednesday. ILLUSTRATED LECTURE by Chas. Barnard.
TUESDAY EVENING, JAN. 9, AT 8 O'CLOCK.
NEW YORK CONSERVATORY OF MUSIC.
6 EAST 44TH-8-T, 3d door East of 5TH-AVE.

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RAFAEL JOSEFFY. STEINWAY HALL. Second Grand Orchestral Concert.
Mr THEODORE THOMAS, Conducts
Thursday Evening, January 11, 48 8.
Tickets and Seats at Stemway Hall.

STEINWAY HALL. Popular Matinees.

Second Matinee, Wednesday, January 10, at 2.
Mr. THEODORE TROMAS and his ORC HESTRA.
Mr. EDMUND NV. UPERT.
Mrs. Helen M. Ames, Sograno.
Mr. John F. Rhodes, Violunist.

Admission fickets 50 cents each, at Stelaway Hall and
principal music stores. Reserved sens, 25 cents extra, at

THALIA THEATRE. TO-NIGHT.

THE OBPHAN OF LOWOOD.

Wednesday night, appearance of LUDWIG BARNAY.

CORADIANUS.

THE CASINO. Broadway and 39th-st.
America's most beautiful place of Annaement.
Every evening at 8.
Every evening at 8.
THE QUEEN'S LACE HANDKERCHIEF,
by the
McCAULL OPERA COMIQUE COMPANY.
Seats may be secured at box office in advance.

THEATRE COMIQUE. 728 & 730 Broadway.

Every evening and Mathiese. Harrigan and Harrigan and Harrigan and Harrigan and Harrigan and Harrigan and Mathiese Message State of the Mathiese New Year's Day.

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Closed To-night (Tuesday) for a dress reheated of A PARISIAN ROMANCE. TO-MORROW (Wednesday) NIGHT, First Production in America of
A PARIS IAN ROMANCE.

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Can only appear
A Few MIGHTS MORE
In consequence of engagements elsewhere,
in his original character of.
HUGH CHAPT. MORE
in T. W. Robertson's milliary drama,
"OURS."
THE ORIGINAL OVERTURE,
NEW SLEKERY.
FURNITURE AND APPOINTMENTS.
COL. SIR ALEXAN DER SHENDEL N. Bart. of "OURS" and the following cont.
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MAJOR SAMPREY OF OURS" MR. G. E. E. WINN
MAJOR SAMPREY OF OURS" MR. H. GWYNETTE
BRADLEY, a Gamekeeper Mr. S. DU BOLL
BUNSON Mr. H. PEARSON, B.
MARY NETLEY
BLANCHE HAYE, an Hetress Miss ADELA MEASON
LADY SHENDRYN and
MR. LESTER WALLACK AS HUGH CHALCOTE
EVENING AT S. SATURDAY MATINEE AT 1.80
BOX BOOK Open ING WERSH MISSEE.

WINDSOR THEATRE, BOWERY, below Canal-

Box book open two weeks in advance.

WINDSOR THEATRE, Bowery, below Canal, Engagement for one week only of the Post of the Pos 5TH AVE. THEATRE. VOKES FAMILY

Lectures and Alcetinas.

A NNUAL MEETING of the Trustees of The New York Colored Mission will be held TUESDAY, Jan. mary 9, at 185 West 30th at 4:30 p.m. EDWARD TATUM, Proc. J. B. WMAY, BOOK.